



Attorney Docket: 19441.0002

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: :  
Keng Tiong Tan :  
Application No. 09/712,135 :  
Confirmation No. 8891 :  
Filed: November 15, 2000 :  
For: METHOD AND APPARATUS FOR :  
NON-LINEAR CODE-DIVISION :  
MULTIPLE ACCESS TECHNOLOGY :

**RESPONSE TO "NOTICE TO FILE MISSING PARTS"**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the **NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION** dated April 9, 2001, Applicant submits herewith the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. Copy of the Notice to File Missing Parts;
2. Executed Declaration and Power of Attorney;
3. Statement Claiming Small Entity Status.

The Commissioner is hereby authorized to charge \$65 surcharge – late declaration filing fee), and charge any additional fees due or credit any overpayment to Deposit Account No. 19-5127


Ser. No. 09/712,135

Attorney Docket: 19441.0002

referencing 19441.0002.

Respectfully submitted,  
Swidler Berlin Shereff Friedman, LLP

Dated: April 27, 2001

  
By: Robert C. Bertin  
Registration No. 41,488

SWIDLER BERLIN SHEREFF FRIEDMAN, LLP  
3000 K Street, N.W., Suite 300  
Washington, D.C. 20007  
(202) 424-7500

Sector #

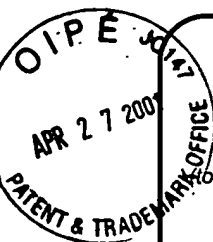
PTO/SB/21 (08-00)

Please type a plus sign (+) inside this box → ☐

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# TRANSMITTAL FORM

*to be used for all correspondence after initial filing*

<b>Application Number</b>	09/712,135		
	<b>Filing Date</b>	November 15, 2000	
	<b>First Named Inventor</b>	Keng Tiong Tan	
	<b>Group Art Unit</b>	2661	
	<b>Examiner Name</b>		
<b>Total Number of Pages in This Submission</b>	9	<b>Attorney Docket Number</b>	19441.0002

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment / Response  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Statement Claiming Small Entity Status  <input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group ( <i>Appeal Notice, Brief, Reply Brief</i> )  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) ( <i>please identify below</i> ):  <b>Copy of Notice to File Missing Parts of Nonprovisional Application, executed Combined Declaration and POA, Statement Claiming Small Entity Status</b>
<b>Remarks</b>		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

<b>Firm or Individual name</b>	Robert C. Bertin, Reg. No. 41,488 Swidler Berlin Shereff Friedman, LLP
<b>Signature</b>	
<b>Date</b>	April 27, 2001

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: <input type="text"/>			
<b>Typed or printed name</b>			
<b>Signature</b>		<b>Date</b>	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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**FEE TRANSMITTAL  
for FY 2001**

Patent fees are subject to annual revision.

**Complete if Known**

Application Number	09/712,135
Filing Date	November 15, 2000
First Named Inventor	Keng Tiong Tan
Examiner Name	
Group / Art Unit	2661
Attorney Docket No.	19441.0002

TOTAL AMOUNT OF PAYMENT (\$)  
65**METHOD OF PAYMENT (check one)**

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit  
Account  
Number

195127, Order # 19441.0002

Deposit  
Account  
Name

Swidler Berlin Shereff Friedman, LLP

- ☒ Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17
- ☒ Applicant claims small entity status.  
See 37 CFR 1.27

- 2.
- ☐
- Payment Enclosed:

☐ Check   ☐ Credit card   ☐ Money Order   ☐ Other
**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1)

(\$)  
0**2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
20**	0	0	0
Independent Claims	3**	0	0
Multiple Dependent		0	0

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$)  
0

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	65
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	130	123	130	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$)  
65**SUBMITTED BY****Complete (if applicable)**

Name (Print/Type)	Robert C. Bertin	Registration No. Attorney/Agent	41,488	Telephone	202 424-7872
Signature				Date	April 27, 2001

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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